





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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FEDERAL ELECTION COMMISSION  
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2018 JUN 12 AM 11:11

**SENSITIVE**

June 12, 2018

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *with for*  
Staff Director

FROM: Patricia C. Orrock *DC* for PCO  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2018 April Monthly Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2018 April Monthly Report in accordance with 52 U.S.C. § 30104(a). The April Monthly Report was due on April 20, 2018.

The committees listed on the attached RTB Circulation Report either filed the report no more than thirty (30) days after the due date (considered a late filed report) or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

8/11/2018 5:11 PM

Federal Election Commission  
Reason to Believe Circulation Report  
2018 APRIL MONTHLY Not Election Sensitive 04/20/2018 P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3399	C00113019	AMERICANS UNITED IN SUPPORT OF DEMOCRACY		CHARLES GLICK	\$363,632	0	5/8/2018	18	\$35,636	\$769
3400	C00630012	IT STARTS TODAY		JONATHAN ZUCKER	\$708,884	1	5/4/2018	14	\$29,405	\$826
3401	C00581199	JILL STEIN FOR PRESIDENT	JILL STEIN	STEVEN WELZER	\$3,567,683	5	6/4/2018	Not Filed	\$29,547	\$2,700
3402	C00529628	THE REPUBLICAN PARTY OF FORT BEND COUNTY FEDERAL COMMITTEE		JINGJING CLEMENCE	\$352,375	0	4/30/2018	10	\$8,323	\$126

BEFORE THE FEDERAL ELECTION COMMISSION

160002723160

In the Matter of	)	
	)	
Reason To Believe Recommendation - 2018	)	
April Monthly Report for the	)	
Administrative Fine Program:	)	
AMERICANS UNITED IN SUPPORT OF	)	AF# 3399
DEMOCRACY, and GLICK, CHARLES as	)	
treasurer;	)	
IT STARTS TODAY, and ZUCKER,	)	AF# 3400
JONATHAN as treasurer;	)	
JILL STEIN FOR PRESIDENT, and	)	AF# 3401
WELZER, STEVEN as treasurer;	)	
THE REPUBLICAN PARTY OF FORT	)	AF# 3402
BEND COUNTY FEDERAL	)	
COMMITTEE, and CLEMENCE,	)	
JINGJING as treasurer;	)	

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,  
do hereby certify that on June 18, 2018 the Commission took the following actions on  
the Reason To Believe Recommendation - 2018 April Monthly Report for the  
Administrative Fine Program as recommended in the Reports Analysis Division's  
Memorandum dated June 12, 2018, on the following committees:

AF#3399 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICANS  
UNITED IN SUPPORT OF DEMOCRACY, and GLICK, CHARLES in his official  
capacity as treasurer, violated 52 U.S.C. 30104(a) and make a preliminary determination  
that the civil money penalty would be the amount indicated on the report; (2) send the

appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3400 Decided by a vote of 4-0 to: (1) find reason to believe that IT STARTS TODAY, and ZUCKER, JONATHAN in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3401 Decided by a vote of 4-0 to: (1) find reason to believe that JILL STEIN FOR PRESIDENT, and WELZER, STEVEN in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3402 Decided by a vote of 4-0 to: (1) find reason to believe that THE REPUBLICAN PARTY OF FORT BEND COUNTY FEDERAL COMMITTEE, and CLEMENCE, JINGJING in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 18, 2018

Date

Dayna C. Brown

Dayna C. Brown

Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 18, 2018

Charles Glick, in official capacity as Treasurer  
Americans United in Support of Democracy  
70 West Madison, Suite 1400  
Chicago, IL 60602

C00113019  
AF#: 3399

Dear Mr. Glick:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Monthly Report of Receipts and Disbursements covering the period March 1, 2018 through March 31, 2018. This report shall be filed no later than April 20, 2018. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on May 8, 2018, eighteen (18) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On June 18, 2018, the FEC found that there is reason to believe ("RTB") that Americans United in Support of Democracy and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before April 20, 2018. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$769. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$769 is due within forty (40) days of the finding, or by July 28, 2018, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$35,636  
Number of Days Late: 18  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First

Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or July 28, 2018. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Americans United in Support of Democracy and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

#### 4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

## 5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

**On behalf of the Commission,**

Candi C. Hunter

**Caroline C. Hunter**  
**Chair**



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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$769 for the 2018 April Monthly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Americans United in Support of Democracy

FEC ID#: C00113019

AF#: 3399

PAYMENT DUE DATE: July 28, 2018

PAYMENT AMOUNT DUE: \$769



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
2019 APR 16 AM 10:15  
**SENSITIVE**

April 16, 2019

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP by MAH*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2018 April Monthly Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2018 April Monthly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, one (1) committee disclosed a change in treasurer after the RTB finding. An overview of this case has been provided below.

The Republican Party of Fort Bend County Federal Committee (AF 3402) filed an Amended Statement of Organization after the RTB finding designating Seth Manish as Treasurer.

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

**(2) Send the appropriate letters.**

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4/15/2018 3:45 PM

Federal Election Commission  
FD Circulation Report Fine Paid  
2018 APRIL MONTHLY Not Election Sensitive 04/20/2018 P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTS Date	RTS Penalty	Final Money Penalty	Date Paid	Amount Paid
3399	AMERICANS UNITED IN SUPPORT OF DEMOCRACY		C00113019	CHARLES GLICK	05/08/2018	18	\$35,636	0	06/18/2018	\$769	\$769	07/19/2018	\$769
3400	IT STARTS TODAY		C00830012	JONATHAN ZUCKER	05/04/2018	14	\$29,405	1	06/18/2018	\$826	\$826	06/21/2018	\$826
3402	THE REPUBLICAN PARTY OF FORT BEND COUNTY FEDERAL COMMITTEE		C00528628	SETH MANISH	04/30/2018	10	\$8,323	0	06/18/2018	\$126	\$126	06/28/2018	\$126

4/15/2018 3:49 PM

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2018 APRIL MONTHLY Not Election Sensitive 04/20/2018 P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3401	JILL STEIN FOR PRESIDENT	JILL STEIN	C00581189	STEVEN WELZER	06/04/2018	45 (Not Filed*)	\$29,547	5	06/18/2018	\$2,700	301	\$2,700

\* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fine Program - Final )  
Determination Recommendation for the )  
2018 April Monthly Report: )  
AMERICANS UNITED IN SUPPORT OF ) AF# 3399  
DEMOCRACY, and GLICK, CHARLES as )  
treasurer; )  
IT STARTS TODAY, and ZUCKER, ) AF# 3400  
JONATHAN as treasurer; )  
JILL STEIN FOR PRESIDENT, and ) AF# 3401  
WELZER, STEVEN as treasurer; )  
THE REPUBLICAN PARTY OF FORT ) AF# 3402  
BEND COUNTY FEDERAL )  
COMMITTEE, and SETH, MANISH as )  
treasurer; )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,  
do hereby certify that on April 18, 2019 the Commission took the following actions  
on the Administrative Fine Program - Final Determination Recommendation for the  
2018 April Monthly Report as recommended in the Reports Analysis Division's  
Memorandum dated April 16, 2019, on the following committees:

AF#3399 Decided by a vote of 4-0 to: (1) make a final determination that  
AMERICANS UNITED IN SUPPORT OF DEMOCRACY, and GLICK, CHARLES in  
his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil  
money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter,  
Petersen, Walther, and Weintraub voted affirmatively for the decision.

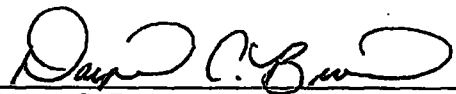
AF#3400 Decided by a vote of 4-0 to: (1) make a final determination that IT STARTS TODAY, and ZUCKER, JONATHAN in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3401 Decided by a vote of 4-0 to: (1) make a final determination that JILL STEIN FOR PRESIDENT, and WELZER, STEVEN in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3402 Decided by a vote of 4-0 to: (1) make a final determination that THE REPUBLICAN PARTY OF FORT BEND COUNTY FEDERAL COMMITTEE, and SETH, MANISH in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 18, 2019  
Date

  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 18, 2019

Charles Glick, in official capacity as Treasurer  
Americans United in Support of Democracy  
70 West Madison, Suite 1400  
Chicago, IL 60602

C00113019  
AF#: 3399

Dear Mr. Glick:

On June 18, 2018, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Americans United in Support of Democracy and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2018 April Monthly Report. By letter dated June 18, 2018, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$769 in accordance with the schedule of penalties at 11 CFR § 111.43.

On July 19, 2018, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on April 18, 2019 that Americans United in Support of Democracy and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed a civil money penalty in the amount of \$769 in accordance with 11 CFR § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Ben Holly on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink that reads "Ellen L. Weintraub". The signature is written in a cursive, flowing style.

Ellen L. Weintraub  
Chair



[illegible]